

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI

NOVEMBER 19, 2013

Be it remembered that the regular meeting of the Tupelo City Council was held in the Council Chambers at the City Hall Building on Tuesday, November 19, 2013, at 6:00 p.m. with the following in attendance: Council Members Markel Whittington, Lynn Bryan, Jim Newell, Nettie Y. Davis, Buddy Palmer, Mike Bryan and Willie Jennings; City Attorney Ben Logan; and Glenda Muse, Clerk of the Council.

Councilman Whittington introduced Rev. Melvin Ambrose, Minister of Mt. Carmel Church, who led the invocation. Boy Scouts from Troop #12 after having been introduced by Councilman Jennings led the Pledge of Allegiance.

IN THE MATTER OF CALLING THE MEETING TO ORDER

President Nettie Davis called the regular meeting to order at 6:00 p.m.

IN THE MATTER OF CONFIRMATION OR AMENDMENT OF
AGENDA AND AGENDA ORDER

Upon a motion by Councilman Bryan, seconded by Councilman Palmer, the Council voted unanimously to confirm the agenda and agenda order, amended as follows:

ADD: **#5.1.A** Public Hearing – List of Lot Mowings of Properties

ADD: **#7.11** List of Lot Mowings of Properties

DELETE: **#5.2.A** Appeal of Planning Committee decision
 in regard to group home on South Church St.

DELETE: **#7.7** Routine item in regard to above appeal of
 group home on South Church St.

ADD: **#4.4** Mayor's Report

4. PROCLAMATIONS, RECOGNITIONS AND REPORTS AGENDA

IN THE MATTER OF RECOGNITION OF BOY/GIRL SCOUTS

A group of Boy Scouts from Troop #12 sponsored by the First United Methodist Church had earlier been introduced and led the Pledge of Allegiance. Duke Loden, Merit Badge Counselor, was present as well. The scouts are working on their Citizenship in the Community Merit badge. Those present included Kyle Wigginton, Johnson Ramsey, and Mills Winders.

IN THE MATTER OF RECOGNITION OF CITY EMPLOYEES

No city employees were present for recognition.

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IN THE MATTER OF PUBLIC RECOGNITIONS

The following public recognitions were made by the City Council and Mayor Shelton:

Councilman Jennings – Announced about the Burger Bash scheduled for December 6, 2013, on the corner by MLM. This event will begin at 11:00 a.m. and proceeds will be given to aid the Boys and Girls Clubs.

Councilman Jennings – Wished all the citizens a Happy Thanksgiving holiday coming up next week.

President Davis – Reminded all citizens of the Annual City Thanksgiving Service scheduled to be held this year on November 25 at All Saints Episcopal Church beginning at 12:00 noon.

President Davis – Thanked the city and City Council for allowing her the privilege of attending the National League of Cities Conference held last week in Seattle, Washington. She stated it was a good experience to intermingle with other city officials from all over the country.

Mayor Shelton – For several months, the city has been involved in the “Tupelo Reads” program sponsored by Jack and Lisa Reed. The book chosen for this year was My Dog Skip. Students from the 10th grade at Tupelo High School had engaged in an essay contest about the book and winners of that contest were present tonight. Mayor Shelton introduced 2nd place winner, Walker Fortenberry; 1st place winner, Katherine Taylor; and Grand Prize winner, Katherine Holland. Also, present was their sponsor, Susie McGrath.

IN THE MATTER OF MAYOR’S REPORT

Highlights of Mayor Shelton’s report were as follows:

Urged all citizens of the city to participate in the community events planned for the Thanksgiving Holiday coming up next week and especially to remember all that we have to be thankful for.

Mayor Shelton, along with City Council President Davis, had attended the National League of Cities Conference held in Seattle, Washington, last week. He thought it was an excellent event and just casually sitting around with municipal leaders from

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all over the country made him realize that other cities are facing the same issues as Tupelo. He urged others to attend such conferences and even though there is cost involved, he felt the benefits far outweighed the expense.

The Mayor had also had the privilege of attending the Southeast United States/Japan Conference held in Biloxi recently along with Community Development Foundation staff. He said it was a very good conference and felt it good that Tupelo was represented to work on community relations with the different Japanese industries we have in this area. They play a tremendous role in our local economy.

(President Davis then closed the regular meeting and opened the Public Agenda.)

5. PUBLIC AGENDA

5.1 PUBLIC HEARINGS

5.1.A Listing of Lot Mowings of Properties

No one appeared to address any of these properties.

(President Davis then closed the Public Agenda and the Council returned to regular session.)

6. ACTION AGENDA

No items appeared on the Action Agenda for consideration.

7. ROUTINE AGENDA

IN THE MATTER OF REVIEW/APPROVE MINUTES OF REGULAR COUNCIL MEETING

Upon a motion by Councilman Whittington, seconded by Councilman Jennings, the council voted unanimously to approve the minutes of the regular City Council meeting of Tuesday, November 5, 2013.

IN THE MATTER OF REVIEW/PAY BILLS

Upon a motion by Councilman Newell and a second by Councilman L. Bryan, the Council voted unanimously to approve payment of the following checks, bills having been reviewed at 4:30 p.m. by Council Members Whittington, L. Bryan, Palmer and

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Jennings:

Check Nos. 115915 through 116295 (Pool Cash Fund)
Electronic transfers as shown on the face of the docket.
Invoices as shown on the face of the docket.
Requests made by AFLAC to reimburse employees under Flex-One
Plan as shown on the face of the docket.

IN THE MATTER OF REVIEW/APPROVE FY 2014 BUDGET REVISION #2

Upon a motion by Councilman Palmer, seconded by Councilman Whittington, the council voted as follows to table this matter:

VOTING AYE: Whittington, Newell, Davis, Palmer, M. Bryan, Jennings
VOTING NAY: L. Bryan

IN THE MATTER OF REVIEW/APPROVE RESOLUTION TO APPLY FOR ASSISTANCE TO FIREFIGHTERS GRANT

Terri Blissard, Grant Administrator, by memorandum dated November 13, 2013, requested permission from the Mayor and City Council to apply for a 2013 Assistance to Firefighters Grant (AFG). This grant is issued jointly through FEMA and the U. S. Department of Homeland Security. The proposed project for this grant is the acquisition of 50 air packs for firefighters responding to incidents which require accessing confined conditions with inadequate and/or contaminated air supply. Along with the air packs, the Fire Department requests to purchase 100 carbon air cylinders, 50 facepieces, and 50 voice amplifiers. The cost of 50 airpacks and the accessory equipment is \$380,137.00 with the city's match for the project being 20%, or \$76,027.40.

Upon a motion by Councilman Newell, seconded by Councilman Palmer, the council voted unanimously to approve a Resolution of Authorization to Submit Assistance to Firefighters Grant Application to the U. S. Department of Homeland Security and FEMA for these funds to purchase above referenced items. An executed copy of the Resolution is attached to these minutes as **APPENDIX A.**

IN THE MATTER OF REVIEW/APPROVE RESOLUTION DECLARING SURPLUS REAL PROPERTY

Councilman Palmer moved to table this matter; the motion was seconded by Councilman L. Bryan and unanimously approved by a vote of the Council.

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IN THE MATTER OF REVIEW/ACCEPT MINUTES OF PLANNING COMMITTEE MEETING

Upon a motion by Councilman L. Bryan, seconded by Councilman Palmer, the Council voted unanimously to accept the minutes of the Planning Committee meeting of November 4, 2013. Due to withdrawal of appeal by applicant, decision of the Planning Committee regarding Item 4 to deny approval of minor conditional use continues to stand. A copy of these minutes is attached hereto as **APPENDIX B.**

IN THE MATTER OF REVIEW/ACCEPT MINUTES OF HISTORIC PRESERVATION COMMISSION MEETING

Upon a motion by Councilman L. Bryan, seconded by Councilman Jennings, the council voted unanimously to accept the minutes of the Historic Preservation Commission meeting of October 2013. A copy is attached hereto as **APPENDIX C.** Councilman Palmer advised the Council that he had attended this meeting.

IN THE MATTER OF REVIEW/AWARD/REJECT BID FOR DEMOLITION OF OLD MILAM MANUFACTURING BUILDING

Councilman Newell moved to award the bid for the demolition of the old Milam Manufacturing Building to Edge Construction, LLC, as the lowest and best bid of \$134,839.00 and to authorize the Mayor to enter into a contract subject to legal review and subsequent ratification. The motion was seconded by Councilman L. Bryan. The award of this bid to Edge Construction, LLC, was recommended by JBHM Architects, P.A. The Council voted unanimously to approve the motion. A copy of the bid package is attached to these minutes and incorporated herein as **APPENDIX D.**

IN THE MATTER OF REVIEW/APPROVE TWO ENGINEERING AGREEMENTS FOR WATER SYSTEM IMPROVEMENTS AND SEWER SYSTEM IMPROVEMENTS IN NEWLY ANNEXED AREAS

Johnny Timmons, Manager, Tupelo Water & Light Department, had submitted a request to Mayor Shelton and the City Council for approval of two engineering agreements between the City of Tupelo and Cook Coggin Engineers. These agreements are for engineering services for Water System Improvements and Sewer System Improvements in the newly annexed areas. According to Mr. Timmons' memorandum of November 13, 2013, these projects will be funded by State Revolving Fund (SRF) loans. Executed copies of both agreements are attached to these minutes as **APPENDIX E.**

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IN THE MATTER OF REVIEW/APPROVE LISTING OF LOT MOWINGS OF PROPERTIES

Councilman Whittington moved to approve a listing of lot mowings submitted by the Department of Development Services as being in such a state of uncleanness as to be a menace to public health, safety and welfare of the community, thereby authorizing the department to proceed with mowing of these properties. The motion was seconded by Councilman Newell and unanimously passed by a vote of the Council. A copy of this listing is attached to these minutes as **APPENDIX F.**

8. STUDY AGENDA

IN THE MATTER OF REVIEW/DISCUSS ACCEPTANCE OF SUMMIT SUBDIVISION STREETS

This item will remain on the Study Agenda.

IN THE MATTER OF REVIEW/DISCUSS CONTRACT FOR OUTSIDE LEGAL SERVICES

This item will remain on the Study Agenda.

IN THE MATTER OF REVIEW/DISCUSS AMENDMENTS TO LOT MOWING PENALTIES

This item will remain on the Study Agenda.

9. EXECUTIVE SESSION

IN THE MATTER OF EXECUTIVE SESSION

Upon a motion by Councilman M. Bryan, seconded by Councilman Newell, the Council voted unanimously to close the regular meeting to determine the need for an executive session.

Upon a motion by Councilman M. Bryan, seconded by L. Bryan, the Council voted unanimously to go into executive session to discuss (1) Pending litigation in regard to expanding boundaries of a neighboring municipality; (2) Pending litigation in regard to appeal to Circuit Court concerning apartment complex known as Azalea Gardens; and (3) Acquisition of property and economic development project.

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Upon a motion by Councilman M. Bryan, seconded by Councilman Palmer, the Council voted unanimously to come out of executive session and return to the regular meeting.

IN THE MATTER OF EXECUTIVE SESSION DECISION

Upon a motion by Councilman Palmer, seconded by Councilman Whittington, the Council voted unanimously to bring Routine Item #7.3, FY 2014 Budget Revision #2, off the table for consideration at this time.

Upon a motion by Councilman Whittington, seconded by Councilman Palmer, the Council voted as follows to approve FY 2014 Budget Revision #2:

VOTING AYE: Whittington, L. Bryan, Davis, Palmer, M. Bryan, Jennings
VOTING NAY: Newell

A copy of the executed Budget Revision is attached to these minutes and made a part hereof as **APPENDIX G.**

IN THE MATTER OF ADJOURNMENT

There being no further business to come before the Council, upon a motion by Councilman M. Bryan and a second by Councilman Palmer, the Council voted unanimously to adjourn the regular meeting at 7:40 p.m.

ATTEST:

CLERK OF THE COUNCIL

PRESIDENT

APPROVED:

MAYOR